



Docket: 33345/US/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


First Named Inventor:	Melvin Rich	
Appln. No.:	10/720,957	
Filing Date:	November 24, 2003	Examiner: Spear, James M.
Title:	Formulation and Delivery Method to Enhance Antioxidant Potency of Vitamin E	Group Art Unit: 1618

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Commissioner for Patents
P.O. Box 1450
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Express Mailing Number: EV 535043606 US
Date of Deposit: August 8, 2005

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Kim Anderson
(Name)

(Signature)

Dear Sir:

The owner, Soft Gel Technologies, Inc. of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,716,451. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

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statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is the attorney or agent of record in this application.

Respectfully submitted,

DORSEY & WHITNEY LLP
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Date: August 8, 2005

By: 

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